

REMARKS

A. Background

Claims 14, 16-18, 20, 21, 23-28, 30, 31, 38-45, 47, 49-51, 55, 56, and 58-68 were pending in the application at the time of the Office Action with claims 16, 17, 25, 41, 44, 49, and 51 being withdrawn from consideration. Claims 26-28, 30, and 31 were rejected under 35 USC 112, first paragraph, while claims 55, 56, 58 and 65 were rejected under 35 USC 112, second paragraph. Claims 26-28, 31, 55, 56 and 63-65 were rejected as being anticipated or obvious over cited prior art. Claims 14, 18, 21, 23, 24, 38-40, 42, 43, 45, 47, 50, 59-62, 66, and 67 were allowed while claims 30, 40, 58, and 61 were objected to as being dependent upon a rejected base claim but were held to be allowed if amended into independent form including all of the limitations of the base and any intervening claims. By this response applicant has amended claims 20, 26, 30, and 55 and cancelled claims 58, 63-65, and 68. As such, claims 14, 16-18, 20, 21, 23-28, 30, 31, 38-45, 47, 49-51, 55, 56, 59-62, 66, and 67 are now pending in the application with claims 16, 17, 25, 41, 44, 49, and 51 remaining withdrawn from consideration.

B. Proposed Claim Amendments

Claim 20 has been amended to depend from claim 18. Claim 26 has been amended to incorporate the limitations of claim 58 and to remove objected to language. Claim 30 has been amended so as to be consistent with the language in claim 26. Claim 55 has been amended to incorporate the limitations of claim 58 and to remove objected to language. In view of the foregoing, applicant respectfully submits that the amendments to the claims do not add new matter and entry thereof is respectfully requested.

C. Rejection on the Merits

Page 2 of the Office Action objects to the specification for failing to provide antecedent basis for language recited in claim 26. Applicant has herein removed the language from claim 26 which the Office Action asserted was not recited in the specification. As such, withdrawal of the objection to the specification is respectfully requested.

Page 2 of the Office Action rejects claims 26-28, 30, and 31 under 35 USC § 112, first paragraph, as failing to comply with the written description requirement. Specifically, the Office Action rejects claim 26 for reciting language that is allegedly not supported by the specification. Applicant has herein amended claim 26 to remove the rejected language. As such, withdrawal of rejection under 35 USC § 112, first paragraph, is respectfully requested.

Page 3 of the Office Action rejects claims 55, 56, 58, and 65 under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter. Specifically, the Office Action objects to language in claim 55 as being indefinite. Applicant has herein amended claim 55 to remove the objected to language. Applicant has also herein cancelled claim 65. As such, withdrawal of the rejections under 35 USC § 112, second paragraph, is respectfully requested.

Page 3 of the Office Action also rejects claims 26, 31, and 64-65 under 35 USC § 102(b) as being anticipated by U.S. Patent No. 5,489,311 to Cipolletti. Applicant has herein amended claim 26 to incorporate the limitations of claim 58 which was considered in the Office Action to contain allowable subject matter. As such, applicant submits that claim 26 and claim 31 which depends therefrom are allowable for substantially the same reasons that claim 58 was considered allowable in the Office Action. Claims 64 and 65 have been cancelled herein and thus those rejections are moot.

Page 4 of the Office Action rejects claims 55 and 56 under 35 USC § 102(e) as being anticipated by U.S. Patent No. 6,866,683 to Gerbec et al. Applicant has herein amended claim 55 to incorporate the limitations of claim 58 which was considered in the Office Action to contain allowable subject matter. As such, applicant submits that claim 55 and claim 56 which depends therefrom are allowable for substantially the same reasons that claim 58 was considered allowable in the Office Action.

Page 4 of the Office Action also rejects claims 27, 28, 63, 64, and 65 under 35 USC § 103(a) as being obvious over the Cipolletti patent. Claim 63-65 have been cancelled herein and thus the rejection of those claims is now moot. Claims 27 and 28 depend from claim 26 and thus incorporate the limitations thereof. As such, applicant submits that claims 27 and 28 are allowable for at least the same reasons as discussed above with regard to claim 26.

No other objections or rejections are set forth in the Office Action.

D. Conclusion

Applicant notes that this response does not discuss every reason why the claims of the present application are distinguished over the cited prior art. Most notably, applicant submits that many if not all of the dependent claims are independently distinguishable over the cited prior art. Applicant has merely submitted those arguments which it considers sufficient to clearly distinguish the claims over the cited prior art.

In view of the foregoing, applicant respectfully requests the Examiner's reconsideration and allowance of claims 14, 16-18, 20, 21, 23-28, 30, 31, 38-45, 47, 49-51, 55, 56, 59-62, 66, and 67 as now pending in the application with claims 16, 17, 25, 41, 44, 49, and 51 remaining withdrawn from consideration. Because the claims from which withdrawn claims 16, 17, 25, 41,

44, 49, and 51 depend are now in condition for allowance, applicant requests that withdrawn claims 16, 17, 25, 41, 44, 49, and 51 now be rejoined in the application.

In the event there remains any impediment to allowance of the claims which could be clarified in a telephonic interview, the Examiner is respectfully requested to initiate such an interview with the undersigned.

Dated this 25th day of November 2008.

Respectfully submitted,

/Dana L. Tangren/ Reg # 37246

DANA L. TANGREN

Attorney for Applicant

Registration No. 37,246

Customer No. 022913

Telephone No. 801.533.9800

DLT:dfw

C:\NRPORTBL\DMST\DWILSON\2187412_1.DOC